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SENATE MEMORIAL 19

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Linda M. Lopez

A MEMORIAL

REQUESTING THE CREATION OF A STATEWIDE TASK FORCE TO ASSESS AND
IMPROVE ACCESS TO SUBSTANCE ABUSE TREATMENT AND PRENATAL CARE
FOR PREGNANT WOMEN WITH SUBSTANCE ABUSE PROBLEMS.

WHEREAS, the Family Preservation Act affirms the state's
policy to support families and emphasize the responsibilities
of parents and the state in the healthy development in children
and the family as an institution; and

WHEREAS, New Mexico has a commitment to strengthen
families in crisis and at risk of losing their children so that
children can remain safely in their own homes; and

WHEREAS, prenatal medical care is recommended for women
before and during pregnancy to improve pregnancy outcomes
through prevention and detection of and early intervention in
problems; and

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1 WHEREAS, the New Mexico legislature has supported prenatal
2 care and protected the confidentiality of the practitioner-
3 patient relationship; and

4 WHEREAS, substance abuse treatment is a proven public
5 safety and health measure; and

6 WHEREAS, the state is keenly aware that pregnant,
7 substance-using women and their children suffer from the
8 adverse effects of addiction, and the state is dedicated to
9 enhancing and mobilizing the health and human services programs
10 that these individuals need; and

11 WHEREAS, pregnant women with substance abuse problems may
12 not seek prenatal care because of stigma and fear; and

13 WHEREAS, one of the best opportunities to approach and
14 intervene with women with substance abuse problems is during
15 pregnancy, when motivation is high to seek treatment for
16 addiction; and

17 WHEREAS, early intervention efforts during the prenatal
18 period increase the likelihood that women will successfully
19 recover from alcohol and other drug abuse; and

20 WHEREAS, a continuum of prenatal and postnatal services is
21 needed to help women successfully parent their children,
22 maintain recovery from substance abuse and address complex
23 social needs; and

24 WHEREAS, the social and financial costs to incarcerate a
25 woman with substance abuse problems far outweigh the costs of

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1 providing specialized prenatal and family-oriented substance
2 abuse treatment; and

3 WHEREAS, prominent public health and medical organizations
4 agree that a punitive approach to drug use during pregnancy has
5 been shown to erode women's willingness to seek health care or
6 to confide in their health care providers if they do seek such
7 care; and

8 WHEREAS, these organizations include the New Mexico
9 section of the American college of obstetricians and
10 gynecologists, the New Mexico public health association, the
11 New Mexico nurses association, the American college of
12 physicians, the national association of social workers, the
13 national association of social workers-New Mexico, the American
14 college of obstetricians and gynecologists, the American
15 academy of pediatrics, the march of dimes, the national
16 association of public child welfare administrators, the
17 national council on alcoholism and drug dependence, the
18 American nurses association, the American public health
19 association, the American academy of addiction psychiatry, the
20 national perinatal association and the center for the future of
21 children; and

22 WHEREAS, threats of arrest and prosecution will deter many
23 pregnant women from seeking prenatal care and drug and alcohol
24 treatment; and

25 WHEREAS, the United States has experienced a seven hundred

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1 percent increase in the incarceration of women, with drug law
2 violations accounting for one-third of the increase; and

3 WHEREAS, incarceration is not an effective method of
4 treatment for women struggling with substance abuse;

5 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
6 OF NEW MEXICO that the governor's women's health council or its
7 successor be requested to create a task force to develop a
8 comprehensive plan for the state to address the needs of
9 pregnant and postpartum women with substance abuse problems and
10 the well-being of their children and families; and

11 BE IT FURTHER RESOLVED that the plan include guidelines
12 for a continuum of care for pregnant women with substance abuse
13 problems, including both prenatal care and substance abuse
14 treatment and an assessment of current needs and gaps in
15 services and recommendations to eliminate them; and

16 BE IT FURTHER RESOLVED that the task force identify and
17 prioritize specific short- and long-term goals and an
18 implementation time line, identify responsible agencies and
19 agents for each implementation goal and propose relevant action
20 steps and performance measurements to evaluate progress for
21 each goal; and

22 BE IT FURTHER RESOLVED that the task force be composed of
23 experts in the fields of ethics, law, perinatal medicine,
24 behavioral health treatment and social services;
25 representatives from the department of health, the interagency

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1 behavioral health care purchasing collaborative, the drug
2 policy alliance, the women's justice project and at least one
3 woman who has recovered from perinatal substance abuse; and

4 BE IT FURTHER RESOLVED that the task force use the federal
5 center for substance abuse treatment as a vital resource in the
6 development of treatment guidelines; and

7 BE IT FURTHER RESOLVED that the task force provide a
8 report to the appropriate interim health committee by November
9 1, 2009 and present a comprehensive plan for improving access
10 to substance abuse treatment services and prenatal care for
11 pregnant women in New Mexico to the appropriate interim health
12 committee by November 1, 2010; and

13 BE IT FURTHER RESOLVED that copies of this memorial be
14 transmitted to the director of the governor's women's health
15 council, the secretary of health, the interagency behavioral
16 health care purchasing collaborative, the drug policy alliance
17 and the women's justice project.

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